

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-18499-2021 (O&M)
Date of Decision:-25.10.2021

Rajesh ... Petitioner

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Suneel Ranga, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by SI Charan Singh.

Mr. Nonish Kumar, Advocate for respondent No.2.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.594 dated 20.8.2020 at Police Station Sadar Karnal, District Karnal under Sections 420, 406, 370, 506, 384 of Indian Penal Code and Section 24 of Immigration Act.
2. The FIR was lodged at the instance of Joginder Singh, wherein it is alleged that in the year 2018 he got in touch with Sandeep @ Shekhar, Sanjeev and Rajesh (petitioner), who were in the business of sending persons abroad and

who represented that they could send the complainant to Canada on work Visa for an amount of ₹20 lakhs. The complainant being taken in by the said representation paid an amount of ₹3 lakhs to the accused on 11.1.2019. However, the complainant instead of being sent to Canada was sent to Vietnam. Once the complainant was in Vietnam, the petitioner Rajesh started torturing him and forced him to ask his parents to pay an amount of ₹7.5 lakhs and under pressure his relatives paid an amount of ₹7.5 lakhs to Rajesh. However, the complainant was never sent to Canada and was deported back from Vietnam. Upon his return, when the complainant demanded the amount of ₹10.5 lakhs from the accused, the accused Sandeep @ Shekhar and Sanjeev again induced him to pay another amount of ₹35,000/- for the purpose of arranging a Visa for Australia. Subsequently, another amount of ₹2 lakhs was also paid to the wife of accused Sandeep @ Shekhar but he was never sent abroad.

3. During the course of arguments, it was expressed by learned counsel for the petitioner and also the learned counsel for the complainant that there could be chances of an amicable settlement. Upon specifically being asked by this Court, learned counsel for the complainant, upon instructions from his client, stated that his client is willing to compromise the matter in case an amount of ₹2 lakhs is paid to the complainant as full and final settlement of the entire case and that upon receipt of the said amount of ₹2 lakhs, his client would not have any objection for quashing of the FIR and would do all the needful for getting the FIR quashed on the basis of compromise.
4. Learned counsel representing the petitioner also sought instructions in this regard from his client and stated that the aforesaid offer is acceptable to his

client and that his client is willing to pay the aforesaid amount of ₹2 lakhs within a period of 1 month from today.

5. In view of the aforestated position, wherein the parties seem to have amicably resolved their issues and while also noticing that the petitioner has been behind bars since the last more than 1 year, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
6. The petitioner and the complainant shall, however, remain bound by the statements made by their counsel before this Court. In case, the petitioner backs out from the same, it shall always be open to the complainant to move an application for recalling of this order/cancellation of the bail.

25.10.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No